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PTO/SB/05 (4/98)

Applicable through 09/30/2000. OMB 0651-0038  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. TB-104IB  
First Inventor or Application Identifier Jamie Grooms  
Title Cortical Bone Cervical Smith-Robinson Fusion Implant  
Express Mail Label No. EK670287616US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **31**]  
(preferred arrangement set forth below)  
-Descriptive title of the Invention  
-Cross References to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Reference to Microfiche Appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **22**]
4. Oath or Declaration [Total Sheets ]  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 C.F.R. § 1.63 (d))  
(for continuation/divisional with Box 16 completed)  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(should be specifically itemized)  
\*Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
13. ☒ Statement(s) (PTO/SB/09-12) ☐ Statement filed in prior application, Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Other: .....

\*NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28)

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation Divisional ☒ Continuation-in-part (CIP) of prior application No: **US 98/17769 +**

Prior application information: Examiner

Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name Gerard H. Bencen  
Address Bencen & Van Dyke, P.A., 1630 Hillcrest Street, Orlando, Florida 32803 USA  
Telephone 407-228-0328 Fax 407-228-0329

I hereby certify that this correspondence is being deposited with the US Post Office with sufficient postage in an Express Mail envelope, Express Mail no. EK670287616US, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on **11/23/2000**.

Gerard H. Bencen, Reg. No. 35746

Name (Print/type)	Gerard H. Bencen	Registration No. (Attorney/Agent)	35746
Signature	<i>Gerard H. Bencen</i>	Date	11/23/2000

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# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision,  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT

(\$)

**Complete if Known**

Application Number	Unknown
Filing Date	11/22/2000
First Named Inventor	Grooms
Examiner Name	Unknown
Group/Art Unit	Unknown
Attorney Docket No.	TB-104IB

**METHOD OF PAYMENT (check one)**

1. The Commissioner is hereby authorized to charge indicated fees  
and credit any overpayments to:

Deposit  
Account  
Number
Deposit  
Account  
Name

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

Check      Money      Other  
            Order

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	690	201	345	Utility filing fee	\$355.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

**2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from Below		Fee Paid	
Independent		-20**=		X		=	
Claims		-3**=		X		=	
Multiple Dependent							

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0.00)

**SUBMITTED BY**

Name (Print/Type) Gerard H. Bencen

Registration No.  
(Attorney/Agent)

35746

**Complete (if applicable)**

Telephone

407-228-0328

Signature

Date

**WARNING:**

Information on this form may become public. Credit card information should not be  
Included on this form. Provide credit card information and authorization on PTO-2038.

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